

REMARKS

Claims 1, 4-11, 14-21 and 24-35 were examined in the Office Action dated March 23, 2006 (hereafter "Outstanding Office Action"). All the claims were rejected.

By virtue of this response, claims 1, 9, 11, 19, 21, and 29-35 are sought to be amended. The amendments are believed not to introduce new matter and their entry is respectfully requested. Claims 1, 4-11, 14-21 and 24-35 are thus presented for reconsideration further in view of the below remarks.

Claim Rejections - 35 U.S.C. § 112

In paragraph 4 on page 2 of the Outstanding Office Action, claims 31, 33, and 35 were rejected under 35 U.S.C. § 112 stating that the limitation "said first second end system" lacks sufficient antecedent basis. The term is sought to be amended to "said second end system", which is present in the respective base claims. Withdrawal of the rejection is respectfully requested.

In paragraph 5 on page 2 of the Outstanding Office Action, claim 34 was rejected under 35 U.S.C. § 112 stating that the term "The computer readable medium of claim 21" has insufficient antecedent. The term has been amended to recite "The apparatus of claim 21" and sufficient antecedent basis is provided in claim 21. Claim 35 is also sought to be amended similarly. Withdrawal of the rejection is respectfully requested.

In paragraph 6 on page 2 of the Outstanding Office Action, claims 31, 33 and 35 were rejected under 35 U.S.C. § 112 stating that the term "if the processing load on said first second end system is not more" is indefinite. The term is sought to be amended to remove the word "first", and the amendment is believed to render each of the claims definite. Withdrawal of the rejection is respectfully requested.

Claim Objections

Claims 31, 33 and 35 were objected to suggesting that the term "and determines

to said send said data in said compressed" should be changed to "and determines to send said data in said compressed". The claims are sought to be amended accordingly. Withdrawal of the objections is respectfully requested.

Applicants wish to thank the Examiner for the detailed examination.

5 ***Claim Rejections - 35 U.S.C. § 103***

Claims 1, 4-6, 9-11,14-16,19-21, 24-26, and 29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ernst et al. (U.S. PG PUB 2004/0103215) in view of Cranstone *et al* (European Patent WO 02/097584 published on 12/05/2002), and in view of Tracton *et al* (U.S. Patent 6,832,241). The rejections are believed to be rendered moot
10 in view of the foregoing amendments.

In particular, currently amended claim 1 recites, among other features, "wherein said determining checks ***a processing load in a previous time duration on said second end system***, and determines not to send said data in said compressed format if the processing load ... is determined to be more than a first threshold." (*Emphasis Added*)

15 None of the references of record teach or reasonably suggest such a feature.

In particular, it is asserted that the list of information obtained in paragraph 31 of Cranstone does not teach or reasonably suggest the emphasized portion noted above.

Kiel *et al* (U.S. Patent 5,276,898), used by the Examiner in rejecting claim 30, does not cure that deficiency. In particular, Kiel relates to a system for selectively compressing data frames based upon a current processor work load identifying whether the processor
20 is too busy to perform the compression. In other words, only the work load at the sender (not the claimed 'second system', i.e., data recipient) is examined in Kiel.

Currently amended independent claim 1 is thus believed to be allowable over the

art of record. Currently amended independent claims 11 and 21 are also allowable over the art of record for similar reasons.

Claims 4-10, 30 and 31 are allowable at least as depending from an allowable base claim 1. Claims 14-20, 32 and 33 are allowable at least as depending from an allowable base claim 11. Claims 24-30, 34 and 35 are allowable at least as depending from an allowable base claim 21.

Currently amended claim 9 is independently allowable over the art of record in reciting that “wherein said first end system is a database client, and said second end system is a database server such that data is transferred from said database client to said database server.”

None of the references of record teaches or reasonably suggests a database client which determines whether to send the data in a compressed format to a database server.

The necessary motivation to modify the references to send compressed data from a client to a server is absent in Ernst since the disclosure there at least substantially relates to sending compressed data from server 305 to client 320. The disclosure of Cranston similarly relates sending compressed data from video server 12 to end-user devices 16-1, etc. The disclosure of Tracton relates to sending compressed data from server 100 to client 102.

Accordingly claim 9 is allowable over the art of record. Claims 19 and 29 are also independently allowable for similar reasons.

Conclusion

Thus, all the objections and rejections are believed to be overcome, at least in view of the above remarks. Withdrawal of the final rejection and continuation of examination is respectfully requested. The Examiner is invited to telephone the undersigned

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representative if it is believed that an interview might be useful for any reason.

Respectfully submitted,

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Signature

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